

Application Serial No. 10/500,791

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SEP 25 2007**REMARKS**

Reconsideration of this application is respectfully requested in view of the foregoing amendments and the following remarks. By way of this Amendment, Applicants have: (a) amended claims 1-4, 6, 9, and 11; and (b) canceled claims 8 and 10, without prejudice or disclaimer. Accordingly, claims 1-7, 9, and 11 remain pending for further consideration.

1. Objection to Claims 1-11

The Examiner objected to claims 1-11 due to a typographical error in claim 1 (*i.e.*, the claim from which claims 2-8 depended) and claim 9 (*i.e.*, the claim from which claims 10 and 11 depended). Applicants respectfully submit that the grounds for this objection have been fully obviated by way of the amendments made herein to claims 1 and 9. Therefore, a withdrawal of this objection is both warranted and earnestly solicited.

2. Rejection of Claims 1-11

The Examiner rejected claims 1-11 under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,057,728 ("Dammeyer"). Claims 1 and 9 have been amended to recite the limitations originally recited in claims 8 and 10, respectively. Correspondingly, claims 8 and 10 have been canceled. Accordingly, and for at least the following reasons, Applicants respectfully traverse this rejection with respect to claims 1-7, 9, and 11.

As amended herein, claim 1 (*i.e.*, the claim from which claims 2-7 depend) recites an elevator brake that includes, among other possible things (*italic emphasis added*):

a rotor; and
movable first and second brake plates,
wherein the first and second brake plates are independently actuatable
into engagement with a different one of two zones on one side of the rotor, and
*wherein the first and second brake plates have generally semi-annular
braking surfaces* that oppose different sectors of the one side of the rotor.

Similarly, as amended herein, claim 9 (*i.e.*, the claim from which claim 11 depends) recites an elevator brake that includes, among other possible things (*italic emphasis added*):

a rotor having two concentric annular zones on one side thereof;
movable first and second brake plates, the first and second brake
plates being independently actuatable into engagement with the one side
of the rotor in respective ones of the annular zones of the rotor;
first and second springs biasing the first and second brake plates,
respectively, toward the rotor;
independently actuatable first and second electromagnets for
overcoming the bias of the first and second springs, respectively, to hold
the first and second brake plates away from the rotor; and

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a stationary housing facing an opposite side of the rotor,
wherein the rotor is urged into engagement with the stationary housing
when either of the first and second brake plates engages one of the annular zones
of the rotor, and

*wherein the first and second brake plates have generally semi-annular
braking surfaces that oppose different sectors of the one side of the rotor.*

As hereafter explained, Dammeyer fails to teach or suggest the elevator brakes recited in claims 1 and 9.

As above-italicized, claims 1 and 9 recite that the first and second brake plates have generally semi-annular braking surfaces. An embodiment of such brake plate surfaces is shown in Figure 2 of the instant application, which figure shows two semi-annular (*i.e.*, semi-circular) brake plates 42, 43. The use of the semi-annular/semi-circular brake plates 42, 43 in conjunction with annular brake linings 46, 47 has the benefit of "reducing the impact that wear or damage to one zone has on the fitness of the other [zone]." *See* p. 4, line 27 (¶ [0018] of the published application). In contrast, Dammeyer teaches two concentric, annular (*i.e.*, completely circular) brake plate surfaces 52, 54, as clearly shown in Figure 1 thereof. As Dammeyer's annular/circular braking surfaces are not semi-annular/semi-circular braking surfaces, Dammeyer not only fails to achieve the improved performance of the instant invention, it also fails to teach or suggest at least the above-italicized limitations of claims 1 and 9.

In light of the foregoing, as Dammeyer fails to teach or suggest each of the limitations of claims 1 and 9, standing alone Dammeyer can not be used to reject claims 1 and 9, or any claim dependent thereon, under 35 U.S.C. § 102(b). Moreover, as claims 2-7 depend from claim 1 and as claim 11 depends from claim 9, each of these dependent claims is also allowable over Dammeyer, without regard to the other patentable limitations recited therein. A withdrawal of the § 102(b) rejection of claims 1-7, 9, and 11 is, therefore, both warranted and respectfully requested.

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CONCLUSION

In light of the foregoing, claims 1-7, 9, and 11 are in condition for allowance. If the Examiner believes that a telephone conference will be useful to move this case forward toward issue, Applicant's representative will be happy to discuss any issues regarding this application and can be contacted at the telephone number indicated below.

Respectfully submitted,

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